

REMARKS

Favorable consideration of this Application as presently amended and in light of the following discussion is respectfully requested.

After entry of the foregoing Amendment, Claims 42, 43, 61, 62, 67, 68, 70 and 71 are pending in the present Application. Claims 1-41, 44-60 and 63-65 have been withdrawn. Claims 42, 61, 67, and 70 have been amended. Support for the amendment of Claims 42, 61, 67, and 70 can be found at least in Fig. 24 and its supporting description in the specification. No new matter has been added.

By way of summary, the Official Action presents the following issues: Claims 42, 43, 61, 62, 67, 68, 70, and 71 stand rejected under 35 U.S.C. § 103 as being unpatentable over Willebrand et al. (U.S. Patent No. 6,763,195, hereinafter Willebrand) in view of Walker.

REJECTION UNDER 35 U.S.C. §103

The Official Action has rejected Claims 42, 43, 61, 62, 67, 68, 70, and 71 under 35 U.S.C. § 103 as being unpatentable over Willebrand in view of Walker. The Official Action asserts that Willebrand discloses all of the Applicants' claim limitations with the exception of diversity combining an information signal in a stand-by mode. However, the Official Action cites Walker as disclosing this more detailed aspect of the Applicants' claimed invention, and states that it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the cited references for arriving at the Applicants' claims. Applicants respectfully traverse the rejection.

Applicants' amended Claim 42 recites, *inter alia*, an information transmission system, including:

... a demultiplexer configured to segment a data signal into a first data signal and a second data signal that are different from each other; ...

said control part controlling said sending apparatus such that said information signal is transmitted to said receiving apparatus via a plurality of routes including a radio transmission route and an optical transmission route when said second transmission mode is selected, . . .

Willebrand describes a system, including a master station (222) and a slave station (24) that are connected via an optical path and an RF path (i.e., hybrid network).¹ The optical path serves as the main communication path; and, the RF path serves as the main path for control and status information and serves as a reliable back-up data communication path.² The outstanding Official Action notes that, “the master transceiver interface unit“(TIU) divides information signal into a first signal part (control and status information) for the radio frequency transceiver and the second signal part (data) for the optical transceiver.³ In this regard, Applicants note that the master transceiver interface separately generates control signals and data signals. There is no disclosure or suggestion of a multiplexing function which segments a data stream into two separate data signals for transmission.

Willebrand does not disclose or suggest when a first transmission mode is selected, a data signal is demultiplexed into two different data signals being transmitted via a radio path and an optical path, respectively, as recited in Applicants’ amended Claim 41. Further, Walker does not remedy the deficiencies discussed above. As rejected Claims 43, 61, 62, 67, 68, 70, and 71 recite substantially similar limitations to that discussed above based upon independent and/or dependent recitation, albeit in a different statutory class and/or claim scope, Applicants submit that these claims are also allowable. Accordingly, Applicants respectfully request that the rejection of Claims 43, 61, 62, 67, 68, 70, and 71 under 35 U.S.C. § 103 be withdrawn.

¹ Willebrand at Fig. 1.

² Willebrand at Col. 5, lines 22-26.

³ See the Official Action of January 18, 2006 at page 4.

CONCLUSION

Should the above distinctions be found unpersuasive, Applicants respectfully request that the Examiner provide an explanation via Advisory Action pursuant to MPEP § 714.13 specifically rebutting the points raised herein for purposes of facilitating the appeal process.

Consequently, in view of the foregoing amendment and remarks, it is respectfully submitted that the present Application, including Claims 42, 43, 61, 62, 67, 68, 70, and 71, is patently distinguished over the prior art, in condition for allowance, and such action is respectfully requested at an early date.

Respectfully submitted,

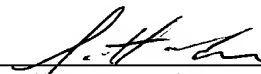
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